

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

BRENDA ADAMS,)	
)	
Plaintiff,)	
)	No. 4:05-CV-2249 CAS
v.)	
)	
SBC,)	
)	
Defendant.)	

ORDER

This matter is before the Court on a Memorandum for Clerk filed by pro se plaintiff Brenda Adams on February 2, 2006. The Memorandum states in its entirety, "I would like to file a motion for a court date extention [sic] due to the time frame I need to hire an attorney." The Court interprets this Memorandum as seeking a continuance of the Rule 16 scheduling conference which was set for the next day, February 3, 2006. The Court did not see the Memorandum prior to the Rule 16 conference and has previously issued an order continuing the Rule 16 conference to March 3, 2006. See Order of February 3, 2006 [Doc. 9].

Plaintiff's Memorandum for Clerk, construed as a motion for continuance of Rule 16 conference, will be denied as moot. The Rule 16 conference will take place in this case on March 3, 2006, whether or not plaintiff has been able to retain an attorney by that time. Plaintiff filed this case pro se and must be prepared to prosecute it without the assistance of an attorney until such time as an attorney enters an appearance in this action on her behalf.


Plaintiff is advised that a pro se litigant is not excused from complying with court orders or substantive and procedural law. Bennett v. Dr. Pepper/Seven Up, Inc., 295 F.3d 805, 808 (8th Cir.

2002). Plaintiff should have appeared at the Rule 16 conference despite filing her Memorandum to Court, because the Court had issued an order that she appear for the conference, and she had not received a ruling granting her request for a continuance.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's Memorandum for Clerk, construed as a motion for continuance of Rule 16 scheduling conference, is **DENIED as moot**. [Doc. 10]

IT IS FURTHER ORDERED that if plaintiff Adams does not appear at the Rule 16 conference as scheduled for **March 3, 2006**, this case will be dismissed with prejudice for failure to comply with the orders of the Court.


CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 9th day of February, 2006.